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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,530	10/03/2001	Marko Mattila	NOKM.012PA	1364
7590	03/21/2006		EXAMINER	
Hollingsworth & Funk, LLC 8009 34th Avenue South Suite 125 Minneapolis, MN 55425			JEAN GILLES, JUDE	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 03/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/970,530	MATTILA ET AL.
	Examiner	Art Unit
	Jude J. Jean-Gilles	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 February 2006.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 46-90 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 46-90 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 03 October 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

This Action is in regards to the RCE Reply received on 02/13/2006.

### ***Response to Amendment***

1. This action is responsive to the application filed on 02/13/2006. Claims 1-45 have been cancelled. Claims 46-90 newly added. Claims 46-90 are pending. Claims 1-45 represent a method and system "for controlling access to downloadable resources."

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 46-90** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr (Sehr), U.S. Patent No. 6,085,976, in view of Salas et al. (Salas), U.S. Patent No. 6,314,408 B1.

Regarding **claim 46**, Sehr discloses the invention substantially as claimed. Although Sehr teaches a method for controlling download access of content from a download server to a mobile user terminal via a network, the network including at least a network service, the download server, and the mobile user terminal, the method comprising:

receiving a download request from the network service, the download request

including access information(*column 19, lines 3-33*);  
creating a content rights file based on the access information (*column 19, lines 3-33*);  
storing the content rights file (*fig. 3; column 23, lines 20-67*);  
delivering to the network service an address of the content rights file for use by the mobile terminal; receiving a transaction request from the mobile user terminal (*column 41, lines 11-35*); however Sher does not specifically disclose "determining if the transaction request includes the content rights file address;  
if the transaction request includes the content rights file address:  
retrieving the content rights file using the content rights file address;  
authorizing a download transaction associated with a transaction identifier based on the content rights file; and  
downloading, from the download server to the mobile user terminal, the targeted content identified in the transaction request; and  
if the transaction request does not include the content rights file address and includes the transaction identifier:  
determining if the transaction is valid based on the transaction identifier;  
authorizing the download transaction if the transaction is valid', and  
downloading, from the download server to the mobile user terminal, the targeted content identified in the transaction request."  
In the same field of endeavor, Salas discloses a "... If the file is not present or is stale, then it must be downloaded from the server 14. The file is checked to determine

whether another client workstation 12 has caused an edit lock to be set on the file indicating that the file is being edited. This may take the form of a database query for the object ID associated with the file which returns at least the metadata associated with the file indicating presence or absence of an edit lock. If no edit lock has been set for a requested file, the access rights of the requesting user are checked. If the user has appropriate access rights, i.e., "can edit" if the user has indicated editing will occur or "can view" if the user has indicated only viewing will occur, the user will be allowed to retrieve the file. In the case of a user that indicated editing will occur, an edit lock is set before the file is downloaded. This ensures that no other user will be able to download the file for editing purposes while the edit lock is set. The requesting user is blocked from further work until the file download is complete...") [see Salas, column 6, lines 1-17; column 11, lines 10-24,50-67; column 12, lines 51-61].

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Salas's teachings of a method and apparatus to process transaction request based on whether it includes the content rights file address, access and the transaction identifier to download content files, with the teachings of Sehr, for the purpose of "*authenticating the cardholder or system information and to guarantee a secure information exchange*" as stated by Sher in lines 37-40 of column 3. By this rationale **claim 46** is rejected.

Regarding **claim 47**, the combination Sehr-Salas discloses the method as in Claim 46, wherein:

creating the content rights file comprises creating the content rights file at the

download server; storing the content rights file comprises storing the content rights file in storage in the download server; and retrieving the content rights file comprises retrieving the content rights file from the storage in the download server [see *Salas*; *fig. 1, item 14; column 2, lines 34-56*].

Regarding **claim 48**, the combination Sehr-Salas discloses the method as in Claim 46, wherein the access parameters comprise user-specific and access-specific parameters [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 49**, the combination Sehr-Salas discloses the method as in Claim 48, wherein the access-specific parameters include content access rights identifying an access life cycle [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 50**, the combination Sehr-Salas discloses the method as in Claim 49, wherein the access life cycle transcends user session boundaries [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 51**, the combination Sehr-Salas discloses the method as in Claim 48, wherein the user-specific parameters include an identification of one or more users authorized to receive the content [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 52**, the combination Sehr-Salas discloses the method as in Claim 46, further comprising receiving a confirmation message from the user terminal if the user terminal successfully receives the downloaded content [see *Sehr*; *column 35, lines 10-51*].

Regarding **claim 53**, the combination Sehr-Salas discloses the method as in Claim 46, further comprising modifying the content rights file to reflect changes in access rights resulting from downloading the content [see *Salas; column 4, lines 56-67*].

Regarding **claim 54**, the combination Sehr-Salas discloses the method as in Claim 53, wherein modifying the content rights file to reflect changes in the access rights comprises decrementing a permitted download count [see *Salas, column 4, lines 1-67; column 11, lines 10-60; fig. 3*].

Regarding **claim 55**, the combination Sehr-Salas discloses the method as in Claim 53, wherein modifying the content rights file to reflect changes in the access rights comprises adjusting an access parameter identifying when content may be downloaded [see *Salas; column 11, lines 4-46*].

Regarding **claim 56**, the combination Sehr-Salas discloses the method as in Claim 53, wherein modifying the content rights file to reflect changes in the access rights comprises modifying at least one of a user identifier and an equipment identifier to modify potential recipients of the content that may be downloaded [see *Salas; column 11, lines 4-46*].

Regarding **claim 57**, the combination Sehr-Salas discloses the method as in Claim 46, further comprising delivering an address of the content rights file to the network service upon creation of the content rights file [see *Salas; column 6, lines 1-17*].

Regarding **claim 58**, the combination Sehr-Salas discloses the method as in Claim 46, further comprising calling a charging element to create a charging record upon delivery of the content to the user terminal [see *Salas; column 6, lines 1-17*].

Regarding **claim 59**, the combination Sehr-Salas discloses the method as in Claim 46, wherein authorizing the content download comprises authorizing the content download to one or more user terminals [see *Salas*; *column 18, lines 44-67*].

Regarding **claim 60**, the combination Sehr-Salas discloses the method of Claim 46, wherein downloading the content comprises delivering the content via an XML document [see *Salas*; *column 6, lines 1-50*].

Regarding **claim 61**, the combination Sehr-Salas discloses the method of Claim 46, further comprising fetching the content from a content storage facility upon authorizing the content download [see *Salas*; *column 18, lines 44-67*].

Regarding **claim 62**, the combination Sehr-Salas discloses the method of claim 46, further comprising executing the downloaded content to set configuration parameters of the user terminal [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 63**, the combination Sehr-Salas discloses the method of claim 62, wherein executing the downloaded content to set the configuration parameters comprises setting the configuration parameters to enable the user terminal to access new or upgraded network services [see *Salas*, *column 6, lines 1-17*; *column 11, lines 10-24, 50-67*; *column 12, lines 51-61*].

Regarding **claim 64**, the combination Sehr-Salas discloses a download server for controlling access to downloadable content to a mobile terminal via a network, comprising:  
a service handler configured to receive a content download request including access information from a network service, the service handler configured to create and store a

content rights file based on the access information and deliver to the network service an address of the content rights file for use by a mobile terminal (see Sehr; *column 19, lines 3-33 ; fig. 3; column 23, lines 20-67*); and a transaction handler configured to receive a transaction request from the mobile terminal, determine if the transaction request includes the content rights file address, the transaction handler configured to, if the transaction request includes the content rights file address, retrieve the content rights file using the content rights file address, authorize a download transaction associated with a transaction identifier based on the content rights file, and download targeted content identified in the transaction request to the mobile terminal, the transaction handler further configured to, if the transaction request does not include the content rights file address but includes the transaction identifier, determine if the transaction is valid based on the transaction identifier, authorize the download transaction if the transaction is valid and download targeted content identified in the transaction request to the mobile terminal [see Salas, *column 6, lines 1-17; column 11, lines 10-24,50-67; column 12, lines 51-61*]; [see Salas; *fig. 1, item 14; column 2, lines 34-56*].

Regarding **claim 65**, the combination Sehr-Salas discloses the download server as in Claim 64, wherein the transaction handler is further configured to fetch the targeted content identified in the transaction request from a content storage facility [see Salas; column 3, lines 1-22].

Regarding **claim 66**, the combination Sehr-Salas discloses the download server as in Claim 64, further comprising a charging handler to call a charging facility to create a

charging record upon delivery of the targeted content to the mobile terminal [see Salas; column 3, lines 1-22].

Regarding **claim 67**, the combination Sehr-Salas discloses the download server as in Claim 64, wherein the transaction handler is configured to update the content rights file after the transaction is complete [see Salas; column 3, lines 1-22].

Regarding **claim 68**, the combination Sehr-Salas discloses the download server as in Claim 64, wherein the content rights file identifies a number of times in which the download transactions have been authorized [see Salas; column 18, lines 44-67].

Regarding **claim 69**, the combination Sehr-Salas discloses the download server as in Claim 64, wherein the content rights file identifies at what times the download transactions have been authorized [see Salas; column 17, lines 50-67].

Regarding **claim 70**, the combination Sehr-Salas discloses the download server as in Claim 64, wherein the content rights file comprises an end-user identification to identify the end-users to which the targeted content associated with the download transaction has been authorized [see *Salas; fig. 1, item 14; column 2, lines 34-56*].

Regarding **claim 71**, the combination Sehr-Salas discloses the download server as in Claim 70, wherein the end-user identification comprises a user name.

Regarding **claim 72**, the combination Sehr-Salas discloses the download server as in Claim 70, wherein the end-user identification comprises a user terminal identifier [see *Salas; column 6, lines 1-50*].

Regarding **claim 73**, the combination Sehr-Salas discloses the download server as in Claim 72, wherein the user terminal identifier is a Mobile Station ISDN/PSTN Number (MSISDN) [see *Salas*; *column 6, lines 1-50*].

Regarding **claim 74**, the combination Sehr-Salas discloses the download server as in Claim 64, wherein the download server provides the transaction identifier to the terminal via a cookie.

Regarding **claim 75**, the combination Sehr-Salas discloses the download server as in Claim 64, wherein the download server provides the transaction identifier to the terminal via URL, encoding (see *Salas*; *column 6, lines 1-25*);

Regarding **claim 76**, the combination Sehr-Salas discloses a transaction hanlder coupled to a mobile terminal via a network, the transaction handler configured to receive a transaction request from the mobile terminal (see *Sehr*; *column 41, lines 11-35*), determine if the transaction request includes a content rights file address, the transaction handler configured to, if the transaction request includes the content rights file address,

retrieve a content access file using the content rights file address, authorize a download transaction associated with a transaction identifier based on the content rights file, and download targeted content identified in the transaction request to the mobile terminal, the transaction handler further configured to, if the transaction request does not include the content rights file address but includes the transaction identifier, determine if the transaction is valid based on the transaction identifier, authorize the download transaction if the transaction is valid and download targeted content identified in the

transaction request to the mobile terminal [see Salas, column 6, lines 1-17; column 11, lines 10-24,50-67; column 12, lines 51-61].

Regarding **claim 77**, the combination Sehr-Salas discloses the transaction handler as in Claim 76, wherein the transaction handler is further configured to fetch the targeted content identified in the transaction request from a content storage facility [see Salas; column 3, lines 1-22].

Regarding **claim 78**, the combination Sehr-Salas discloses the transaction handler as in Claim 76, wherein the transaction handler is configured to update the content rights file after the transaction is complete [see Salas; column 3, lines 1-22].

Regarding **claim 79**, the combination Sehr-Salas discloses the transaction handler as in Claim 76, wherein the transaction handler further comprises a charging handler to call a charging facility to create a charging record upon delivery of the targeted content to the mobile terminal [see Salas; column 18, lines 44-67].

Regarding **claim 80**, the combination Sehr-Salas discloses a computer readable medium having computer-executable instructions for controlling access to downloadable content available via a network service, the computer- executable instructions performing a method, comprising: receiving a download request from the network service, the download request including access information; creating a content rights file based on the access information; storing the content rights file (see Sehr; column 41, lines 11-35; *fig. 3; column 23, lines 20-67*); delivering to the network service an address of the content rights file for use by the

mobile terminal; receiving a transaction request from the mobile user terminal (see Sehr; column 41, lines 11-35);

determining if the transaction request includes the content rights file address;

if the transaction request includes the content rights file address:

retrieving the content rights file using the content rights file address;

authorizing a download transaction associated with a transaction identifier

based on the content access file; and

downloading, from the download server to the mobile user terminal, the targeted content identified in the transaction request; and

if the transaction request does not include the content rights file address and includes the transaction identifier;

determining if the transaction is valid based on the transaction identifier;

authorizing the download transaction if the transaction is valid; and

downloading, from the download server to the mobile user terminal, the targeted content identified in the transaction request [see Salas, column 6, lines 1-17; column 11, lines 10-24,50-67; column 12, lines 51-61].

Regarding **claim 81**, the combination Sehr-Salas discloses the computer readable medium as in Claim 80, wherein:

creating the content rights file comprises creating the content rights file at the download server; storing the content rights file comprises storing the content rights file in storage in the download server; and retrieving the content rights file comprises

retrieving the content rights file from the storage in the download server [see *Salas*; *fig. 1, item 14; column 2, lines 34-56*].

Regarding **claim 82**, the combination Sehr-Salas discloses the computer readable medium as in Claim 80, wherein the access information comprises user-specific and access-specific parameters [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 83**, the combination Sehr-Salas discloses the computer readable medium as in Claim 82, wherein the access-specific parameters include content access rights identifying an access life cycle see [*Salas*; *column 4, lines 56-67*].

Regarding **claim 84**, the combination Sehr-Salas discloses the computer readable medium as in Claim 83, wherein the access life cycle transcends user session boundaries [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 85**, the combination Sehr-Salas discloses the computer readable medium as in Claim 82, wherein the user-specific parameters include an identification, by name, of one or more users authorized to receive the content [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 86**, the combination Sehr-Salas discloses the computer readable medium as in Claim 80, further comprising receiving a confirmation message from the user terminal if the user terminal successfully receives the downloaded content [see *Sehr*; *column 35, lines 10-51*].

Regarding **claim 87**, the combination Sehr-Salas discloses the computer readable medium as in Claim 80, further comprising modifying the content rights file to reflect changes in access rights resulting from downloading the

content [see *Salas*; *column 4, lines 56-67*].

Regarding **claim 88**, the combination Sehr-Salas discloses the computer readable medium as in Claim 87, wherein modifying the content rights file to reflect changes in the access rights comprises decrementing a permitted download count [see *Salas*; *column 11, lines 4-46*].

Regarding **claim 89**, the combination Sehr-Salas discloses the computer readable medium as in Claim 80, further comprising calling a charging element to create a charging record upon delivery of the content to the user terminal [see *Salas*; *column 6, lines 1-17*].

Regarding **claim 90**, the combination Sehr-Salas discloses the computer readable medium of Claim 80, further comprising fetching the content from a content storage facility upon authorizing the content download [see *Salas*; *column 18, lines 44-67*].

#### **References Cited**

Sehr (Sehr), U.S. Patent No. 6,085,976

Salas et al. (Salas), U.S. Patent No. 6,314,408 B1.

Brown et al (Brown), U.S. Patent No. 6,892,201 B2.

***Conclusion***

4. **THIS ACTION IS MADE NON-FINAL.** Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

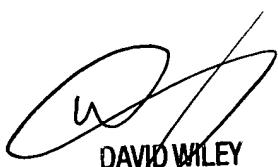
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-9000.

Jude Jean-Gilles  
Patent Examiner  
Art Unit 2143

JJG 

March, 08, 2006



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100